



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Cargas
Cargas for Congress
2450 Louisiana Street, Suite 400-777
Houston, TX 77006

APR - 8 2016

RE: MUR 6764

Dear Mr. Cargas:

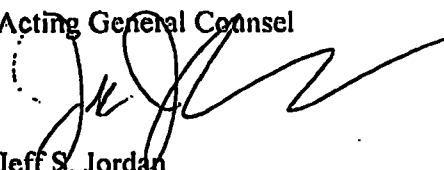
The Federal Election Commission reviewed the allegation in the complaint you filed on December 4, 2013. On April 4, 2016, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to dismiss the complaint and close its file in this matter. Accordingly, the Commission closed the file in this matter on April 4, 2016.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). The Factual and Legal Analysis, which more fully explains the Commission's finding, is enclosed.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Daniel A. Petalas
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel
Complaints Examination and
Legal Administration

Enclosure
Factual and Legal Analysis

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

**RESPONDENTS: Lissa Squiers for Congress Campaign
and Lissa Squiers as treasurer**

MUR 6764

I. INTRODUCTION

This matter was generated by a Complaint filed by James Cargas ("Complainant") on December 4, 2013, alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act") and Commission regulations by Lissa Squiers for Congress Campaign and Lissa Squiers in her official capacity as treasurer (collectively the "Committee"). It was scored as a relatively low-rated matter under the Enforcement Priority System, a system by which the Commission uses formal scoring criteria as a basis to allocate its resources and decide which matters to pursue.

II. FACTUAL AND LEGAL ANALYSIS

Complainant James Cargas ("Complainant"), who defeated Squiers in the July 29, 2012 Democratic primary run-off election for Texas's Seventh Congressional District, alleges that the Committee failed to file its 2012 12-Day Pre-Primary Runoff Election Report.¹ Compl. at 1-2. The Committee also allegedly failed to file financial disclosure reports for nearly a year thereafter, including its 2012 Year-End Report; 2013 April Quarterly Report; 2013 July Quarterly Report; and 2013 October Quarterly Report. *Id.* at 1. Although the Committee subsequently filed a report entitled "October Quarterly Report" on November 1, 2013 that covered a year's worth of campaign activity—from September 30, 2012 through

¹ The Complainant observes that the Committee apparently reported its activity for the time period at issue in its 2012 Quarterly Report, filed on October 25, 2012. *Id.* at 2.

1 October 1, 2013—the Complainant states that the filing was untimely. *Id.* at 1-2. According
2 to the Complainant, the Committee has “demonstrated a pattern of election law violations” by
3 failing to timely and accurately file disclosure reports with the Commission,” as required by
4 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(a). *Id.* at 2.

5 Squiers, who filed a Response on behalf of the Committee, acknowledges that she had
6 failed to file several reports after her 2012 campaign ended. Resp. at 1.² Squiers explains that
7 she did not understand that her Committee was required to continue to file financial disclosure
8 reports even if there was no campaign activity to disclose, and states that she has requested
9 that the Committee be terminated. *Id.*³ Squiers does not address the allegation that the
10 Committee failed to file a 2012 Pre-Primary Runoff Election Report. *Id.*

11 Pursuant to 52 U.S.C. § 30104(a), treasurers of political committees are required to
12 timely file disclosure reports with the Commission, including quarterly reports and pre- and
13 post-general election reports. Here, although Squiers acknowledges that the Committee did
14 not timely file financial disclosure reports following her loss in the 2012 primary runoff
15 election, the Committee’s activity was eventually disclosed on its 2013 October Quarterly
16 Report. Moreover, the Committee is apparently inactive.

² It appears that Squiers had two campaign committees, one for her 2012 primary election campaign, which is the subject of the instant matter, and the other for her unsuccessful 2014 primary election campaign. Both committees were named “Lissa Squiers for Congress Campaign.” Squiers’ 2014 committee received termination approval on April 29, 2014.

³ Squiers filed several termination reports on behalf of the Committee, the last one of which was filed on April 24, 2014 and disclosed no campaign activity, including zero contributions, expenditures and cash on hand. The Committee failed to file its 2014 July Quarterly Report and has not filed any other financial disclosure reports to date.

1 Accordingly, in light of the fact that the Committee is now inactive, has requested
2 termination, and has filed a disclosure report⁴ covering the activity at issue in the complaint,
3 and in furtherance of the Commission's priorities, the Commission exercises its prosecutorial
4 discretion, pursuant to *Heckler v. Chaney*, 470 U.S. 821 (1985), and dismisses the allegation
5 that Lissa Squiers for Congress Campaign and Lissa Squiers in her official capacity as
6 treasurer violated the Federal Election Campaign Act of 1971, as amended, and Commission
7 regulations.
8

⁴ The Commission observes, however, that the 2013 October Quarterly Report improperly included activity from other reporting periods.